

### **ORDER OF TAKING**

The undersigned, being the duly elected and sitting members of the City Council of the City of Northampton, in the Commonwealth of Massachusetts, acting under the authority of and in accordance with the provisions of General Laws of the Commonwealth, as from time to time amended, and more particularly Chapter 79, and pursuant to the Order of the Northampton City Council, a true copy of which is attached hereto, does hereby take a perpetual easement for and on behalf of the Inhabitants of the City of Northampton over the parcels referenced below. The purpose of the taking hereunder is the laying out, establishing and accepting of a public way in and for the City of Northampton in accordance with Mass. Gen Laws ch. 82, and Northampton Code of Ordinances, § 285-31, et seq.

The parcels hereby taken are shown as "Franklin Court" on a plan entitled, "Plan of Land in Northampton, Massachusetts, Hampshire County, Surveyed for the City of Northampton," dated February 10, 2014, to be recorded herewith. The parcels are more particularly bounded and described as set forth on Exhibit A, attached hereto.

No damages shall be payable as a result of this taking and no betterment shall be assessed as a result of the laying out and acceptance of the public way herein.

[THE REMAINDER OF THIS PAGE INTENTIONALL LEFT BLANK]

IN WITNESS WHEREOF, We, the City Council of the City of Northampton, have executed this Order of Taking this            day of            , 2014.

WITNESS TO ALL:

CITY COUNCIL, CITY OF NORTHAMPTON, MA

\_\_\_\_\_  
William H. Dwight  
AT-LARGE COUNCILOR

\_\_\_\_\_  
Jesse M. Adams  
AT-LARGE COUNCILOR

\_\_\_\_\_  
Maureen T. Carney  
WARD 1 COUNCILOR

\_\_\_\_\_  
Paul D. Spector  
WARD 2 COUNCILOR

\_\_\_\_\_  
Ryan R. O'Donnell  
WARD 3 COUNCILOR

\_\_\_\_\_  
Gina-Louise Sciarra  
WARD 4 COUNCILOR

\_\_\_\_\_  
David A. Murphy  
WARD 5 COUNCILOR

\_\_\_\_\_  
Marianne L. LaBarge  
WARD 6 COUNCILOR

\_\_\_\_\_  
Alisa Klein  
WARD 7 COUNCILOR

CERTIFICATE OF THE CLERK  
CITY COUNCIL, CITY OF NORTHAMPTON, MA

I, Pamela L. Powers, the Clerk of the City Council of the City of Northampton, MA, hereby certify that the attached Order of Taking of certain easements located in Northampton, Hampshire County, Massachusetts, was executed on            2014, by William H. Dwight, Jesse M. Adams, Maureen T. Carney, Paul D. Spector, Ryan R. O'Donnell, Gina-Louise Sciarra, David A. Murphy, Marianne L. LaBarge, and Alisa Klein, who as of that day, were and are the duly elected members of the City Council of the City of Northampton, MA.

Signed this            day of            , 2014.

\_\_\_\_\_  
Pamela L. Powers  
Clerk to City Council  
City of Northampton, Massachusetts

## EXHIBIT A

Beginning at a point, said point marks the northwesterly corner of a parcel, now or formerly Maria H. Rueda as described in a deed recorded in Book 11703 Page 300 of the Hampshire Registry District, said point being located on the easterly line of Franklin Street, said point being marked by an iron rod set, said point being the southwesterly corner of the parcel herein described;

N 20°36'51" E along the easterly line of Franklin Street, a distance of 30.03 feet to an iron pipe found, said point marks the southwesterly corner of a parcel, now or formerly S. Wylie Smith as described in a deed recorded in Book 5040 Page 89, said point being the northwesterly corner of the parcel herein described, thence;

S 71°58'39" E along said Smith, land now or formerly Courtney N. Lannert & Ryan C. Hayward as described in a deed recorded in Book 8838 Page 40, and land now or formerly Michael Schonbach & Judith S. Polan as described in a deed recorded in Book 2225 Page 2, a distance of 175.00 feet to an iron rod set, said point marks the northeasterly corner of the parcel herein described, thence;

S 18°01'21" W along said Schonbach & Polan, and land now or formerly Martha Spiro as described in a deed recorded in Book 4636 Page 176, a distance of 30.00 feet to an iron rod set, said point marks the southeasterly corner of the parcel herein described, thence;

N 71°58'39"W along said Spiro, land now or formerly Joanne Marie Carey & Brian E. Carey as described in deeds recorded in Book 4172 Page 204, Book 9076 Page 94, and Book 10585 Page 316, and land of said Rueda, a distance of 176.36 feet to the point of beginning.

The above described parcel contains 5,270 square feet more or less, being depicted as Franklin Court on a plan entitled, "Street Acceptance Plan, Plan of Land in Northampton MA, Hampshire County, prepared for The City of Northampton", dated 02-10-2014. Prepared by Northeast Survey Consultants.

The basis of bearing being the Massachusetts Coordinate System NAD 83.

All Book and Page numbers recited are referenced to the Hampshire Registry District.

Being a portion of the premises conveyed in the following deeds recorded in the Hampshire Registry of Deeds: Book 2225, Page 2, Book 4636, Page 176, Book 7142, Page 204, Book 9076, Page 94, Book 10585, Page 316, Book 11703, Page 300.

FRANKLIN COURT, ACCEPTED BY VOTE OF CITY OF NORTHAMPTON COUNCIL

PROPOSED \_\_\_\_\_ DATE \_\_\_\_\_ CITY CLERK \_\_\_\_\_

CITY OF NORTHAMPTON, MASSACHUSETTS PLANNING BOARD APPROVAL  
NOT REQUIRED UNDER "AUTOMATIC CONTROL LINES"

NORTHAMPTON PLANNING BOARD

\_\_\_\_\_

\_\_\_\_\_

DATE \_\_\_\_\_ PUBLIC WORKS DIRECTOR \_\_\_\_\_

PROSPECT STREET

CONCRETE  
CUT 17.51'

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CUT 17.51'

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CONCRETE  
CUT 17.51'

LEGEND

17C-38 ACCESSORY MAP-RANGE

N/T NOW OR FORMERLY

D GP IRON PIPE/ROD FOUND

D GP IRON ROD TO DE SET

▲ CALCULATED POINT

▲ GCS/ANTWERP DATE

● MANHOLE

● CATCH BASIN

● UTILITY

● LOCUS PROPERTY LINE (S)

● ADJACENT PROPERTY LINE (S)



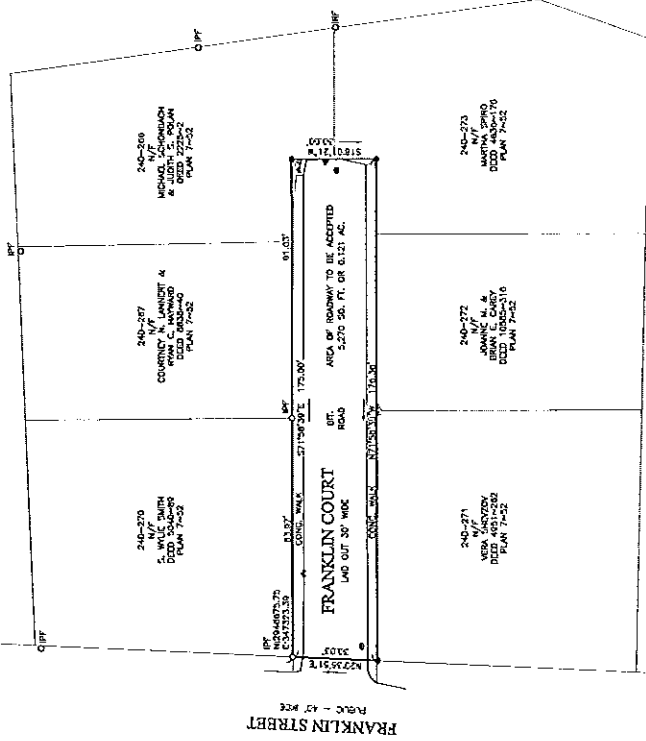
PLAN  
STREET  
ACCEPTANCE

DRAWING NAME:	13-008 22.DWG
PROJECT NUMBER:	13-008.22
FIELD WORK:	NAE
DRAFTING:	JOG
DESIGN:	—
ENGINEER:	—
DATE:	02-10-2014
VERT. SCALE:	1"=20'
HORIZ. SCALE:	1"=20'

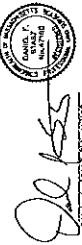
CITY OF NORTHAMPTON  
NORTHAMPTON, MA  
PLANNING BOARD  
APPROVED FOR THE  
CITY OF NORTHAMPTON

SCALE: 1"=20'

14.276



NOTES:  
1. FIELD SURVEY BY CON TOTAL STATION.  
2. THE HORIZONTAL DATUM IS MASSACHUSETTS COORDINATE SYSTEM (NAD83) AND IS BASED ON A DUAL FREQUENCY GPS SURVEY.





## PLANNING AND SUSTAINABILITY • CITY OF NORTHAMPTON

planning • conservation • zoning • northampton GIS • historic • community preservation • central business architecture

Carolyn Misch, AICP, Senior Land Use Planner • cmisch@northamptonma.gov • 413-587-1287

### MEMORANDUM

TO: City Council

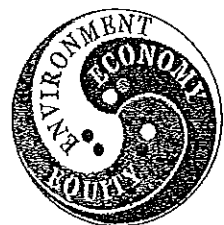
FROM: Carolyn Misch, AICP

DATE: June 14, 2013

RE: Planning Board Recommendations on Street Acceptances

At its Planning Board meeting on May 9, 2013, the Board voted on the following street acceptance requests. The Board voted to recommend these streets based upon the Board's feeling that these historic streets provide links within the City's network and core that create vehicular and pedestrian connectivity through neighborhoods.

- Maple Ave
- Bratton Ct
- Franklin Ct
- Ahwaga Ave
- Kary St
- Hebert St
- Greeley Ave
- Clark St.





CITY OF NORTHAMPTON, MASSACHUSETTS  
DEPARTMENT OF PUBLIC WORKS  
125 Locust Street  
Northampton, MA 01060-2066

413-587-1570  
Fax 413-587-1576

Edward S. Huntley, P.E.  
*Director*

REPORT AND RECOMMENDATION OF THE  
BOARD OF PUBLIC WORKS TO THE CITY COUNCIL

On June 6, 2013 the Northampton City Council referred to the Northampton Board of Public Works and the Northampton Planning Board a petition for the acceptance of Franklin Court.

The Board of Public Works held a public hearing on July 20, 2013 and at its regular meeting on August 14, 2013 voted unanimously to recommend the acceptance of Franklin Court as a public way.

Respectfully submitted  
The Board of Public Works of the City of Northampton

A handwritten signature in dark ink, appearing to read "Edward S. Huntley", is written over a horizontal line.

Edward S. Huntley, P.E.  
Director of Public Works  
August 15, 2014

cc: Northampton Board of Public Works  
Northampton Planning Board